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International Convention on
the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-first session

CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on
the Elimination of Racial Discrimination

Norway

1. At its 1232nd and 1233rd meetings, held on 13 and 14 August 1997, the Committee considered the twelfth and thirteenth periodic reports submitted in one document (CERD/C/281/Add.2) and the fourteenth periodic report (CERD/C/320/Add.1) of Norway and adopted, at its 1242nd meeting, held on 21 August 1997, the following concluding observations.

A. Introduction

2. The Committee welcomes the reports presented by the Government of Norway, which follow the guidelines and contain comprehensive, frank and self-critical information about changes and developments that have occurred since the consideration of the previous periodic report. The Committee also welcomes the detailed answers to questions raised and concerns expressed during the consideration of the reports. It expresses its appreciation for the constructive dialogue with the delegation and for the answers given to the questions raised by members. The Committee notes also with appreciation that the State party has made the declaration under article 14 of the Convention and has ratified the amendment concerning article 8, paragraph 6.

B. Positive aspects

3. The overall efforts undertaken and innovative measures adopted by the State party to prevent and combat all forms of racial discrimination are welcomed. In this regard, the recent establishment of a working group which has a mandate to improve legal aid available to victims of racial discrimination is noted, as is the possibility of including resident foreigners on a jury.

4. The adoption by the State party of the Plan of Action to Tackle Acute Situations of Racial Violence and Harassment in a Local Community is also welcomed.

5. The efforts undertaken by the State party to protect the culture, language and way of life of minorities are welcomed. In this regard, the establishment and work of the Sami Assembly is perceived as a positive development.

6. The White Paper on Immigration and a Multicultural Norway issued by the State party in February 1997 is welcomed as a policy framework for the State party developing into a multicultural society. The right of foreigners to participate in local and regional elections is also welcomed. Furthermore, the work undertaken during the period under review by the Interdisciplinary Advisory Group on Community Relations is favourably noted.

7. The amendment of section 292 of the Penal Code by the Act of 7 April 1995, adding racial motivation as an aggravating circumstance when an act of vandalism has been committed, is welcomed.

8. The teaching programme "Norway as a multicultural society" launched by the State party in 1992 is noted. The fact that this training has targeted the police, journalists, teachers, customs officers and health and social workers is regarded positively.

9. The longstanding efforts undertaken by the State party to give immigrant and minority groups access to education in appropriate languages are regarded as a positive factor. Furthermore, the efforts undertaken by the authorities to translate, when necessary, public information into the diverse languages spoken by minority members and immigrants is also welcomed.

10. Cooperation between the State party and non-governmental organizations is noted, as well as the fact that the State party consulted some non-governmental organizations during the drafting of the reports.

C. Principal subjects of concern

11. While acknowledging the constitutional amendment of 15 July 1994, and despite additional information provided by the State party both in oral and written form, concern is expressed regarding the extent to which the International Convention on the Elimination of All Forms of Racial Discrimination is self-executing in domestic law.

12. While noting that the number of complaints concerning racially motivated offences has fallen, concern is expressed that the reasons for this trend are not yet known. Concern is also expressed over allegations that the police are reluctant to institute criminal proceedings in some cases involving racial discrimination. The absence of a sufficiently complete official record of incidents of a racial character in Norway is also a source of concern.

13. Concern is expressed that the State party has not taken all appropriate measures to prohibit organizations which promote and incite racial discrimination in accordance with article 4 (b) of the Convention. Furthermore, the fact that a Norwegian political party promotes racial discrimination is a source of serious concern.

14. Concern is expressed over the publications of anti-immigrant racist organizations and that a radio station is systematically disseminating ideas of racial superiority. Also a matter of concern is the view expressed openly by the leader of the above-mentioned political party that the Sami Parliament should be dissolved.

15. Concern is expressed that foreigners and persons belonging to minority groups may not be sufficiently protected, especially in the fields of labour and housing.

16. The Committee expresses concern that the State party's health services allege that immigrants of African descent disproportionately test positive for HIV, and that Africans have been obliged to undergo tests for HIV simply because they are Africans.

17. Reports of the unjustified deportation of foreign nationals, including in some cases asylum-seekers and unaccompanied children, are a matter of concern.

D. Suggestions and recommendations

18. The Committee requests the State party to clarify in its next periodic report the status of the International Convention on the Elimination of All Forms of Racial Discrimination in domestic law. It would welcome in the next report examples, if any exist, of court decisions illustrating how the Convention is applied in domestic law.

19. The Committee suggests that the competent Norwegian authorities maintain a comprehensive record of all racist acts or incidents and it recommends that they take the necessary measures to facilitate and ensure criminal proceedings whenever appropriate.

20. The Committee recommends that the State party take all appropriate measures to prohibit all racist organizations in conformity with article 4 (b) of the Convention.

21. The Committee recommends that the State party take the necessary measures to prohibit all dissemination of racist propaganda.

22. The Committee recommends that the State party continue to strengthen its efforts to promote understanding and tolerance with regard to immigrants in Norway.

23. The Committee recommends that the State party take all appropriate measures to ensure access to work and housing on a non-discriminatory basis, in conformity with the Convention.

24. The Committee recommends that the State party ensure the wide dissemination of its reports and of the concluding observations of the Committee.

25. The Committee recommends that the State party's next periodic report, due on 5 September 1999, be an updating report and address all the concerns expressed by the Committee.